

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
(Alexandria Division)**

THE UNITED STATES OF AMERICA *ex*
rel. STEPHEN BACHERT,

Plaintiffs,

v.

TRIPLE CANOPY, INC.,

Defendant.

CIVIL ACTION NO.
1:16 CV 456 (TSE/JFA)

ORAL HEARING REQUESTED

**TRIPLE CANOPY, INC.'S AMENDED MOTION TO DISMISS
THE AMENDED COMPLAINT**

Defendant Triple Canopy, Inc. ("Triple Canopy") hereby files this Amended Motion to Dismiss the Amended Complaint to correct the case caption of the Motion to Dismiss the Amended Complaint filed on July 27, 2017. *See* ECF 32. In the Motion to Dismiss the Amended Complaint filed on July 27, the case caption inadvertently identified the defendant as Triple Canopy, LLC. The defendant identified in the Amended Complaint, however, is Triple Canopy, Inc. A corrected case caption is reflected above. The case caption on the Memorandum in Support of the Motion to Dismiss, also filed on July 27, 2017, correctly reflects Triple Canopy, Inc. *See* ECF 33.

REQUEST FOR HEARING

Pursuant to Local Rule 7(E), Triple Canopy requests that the Court hold a hearing on this Amended Motion on the date already set on the docket for a hearing on Triple Canopy's Motion to Dismiss, August 18, 2017.

Dated: July 31, 2017

Respectfully submitted,

TRIPLE CANOPY, INC.

By its attorneys,

/s/ Catherine E. Creely

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Counsel for Triple Canopy, Inc.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on July 31, 2017, I electronically filed this document through the ECF system, which will send a notice of electronic filing to all counsel of record.

/s/ Catherine E. Creely

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[PROPOSED] ORDER

UPON CONSIDERATION of Triple Canopy, Inc.'s Amended Motion to Dismiss the Amended Complaint, any opposition thereto, and the arguments of counsel in this matter, it is hereby:

ORDERED that the Amended Motion is GRANTED and this case is hereby dismissed.

Entered this ____ day of _____, 2017.

By: _____